

MESSAGE NO: 4057207

MESSAGE DATE: 02/26/2004

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: ADM

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-886

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 01/26/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING DUTY
INVESTIGATION OF POLYETHYLENE RETAIL CARRIER BAGS FROM CHINA (A-570-886)

MESSAGE NO: 4057207

DATE: 02 26 2004

CATEGORY: ADA

TYPE: ADM

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 886

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PERIOD COVERED: 01 26 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING
DUTY INVESTIGATION OF POLYETHYLENE RETAIL CARRIER BAGS
FROM CHINA (A-570-886)

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. ON JANUARY 26, 2004, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER (69 FR 3544) ITS PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND THE POSTPONEMENT OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF POLYETHYLENE RETAIL CARRIER BAGS (PRCBS) FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC).

2. THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS PRCBS WHICH MAY BE REFERRED TO AS T-SHIRT SACKS, MERCHANDISE BAGS, GROCERY BAGS, OR CHECKOUT BAGS. THE SUBJECT MERCHANDISE IS DEFINED AS NON-SEALABLE SACKS AND BAGS WITH HANDLES (INCLUDING DRAWSTRINGS), WITHOUT ZIPPERS OR INTEGRAL EXTRUDED CLOSURES, WITH OR WITHOUT GUSSETS, WITH OR WITHOUT PRINTING, OF POLYETHYLENE FILM HAVING A THICKNESS NO GREATER THAN .035 INCH (0.889 MM) AND NO LESS THAN .00035 INCH (0.00889 MM), AND WITH NO LENGTH OR WIDTH SHORTER THAN 6 INCHES (15.24 CM) OR LONGER THAN 40 INCHES (101.6 CM). THE DEPTH OF THE BAG MAY BE SHORTER THAN 6 INCHES BUT NOT LONGER THAN 40 INCHES (101.6 CM).

PRCBS ARE TYPICALLY PROVIDED WITHOUT ANY CONSUMER PACKAGING AND FREE OF CHARGE BY RETAIL ESTABLISHMENTS (E.G., GROCERY, DRUG, CONVENIENCE, DEPARTMENT, SPECIALTY RETAIL, DISCOUNT STORES, AND RESTAURANTS) TO THEIR CUSTOMERS TO PACKAGE AND CARRY THEIR PURCHASED PRODUCTS. THE SCOPE OF THE INVESTIGATION EXCLUDES (1) POLYETHYLENE BAGS THAT ARE NOT PRINTED WITH LOGOS OR STORE NAMES AND THAT ARE CLOSEABLE WITH DRAWSTRINGS MADE OF POLYETHYLENE FILM

AND (2) POLYETHYLENE BAGS THAT ARE PACKED IN CONSUMER PACKING WITH PRINTING THAT REFERS TO SPECIFIC END-USES OTHER THAN PACKAGING AND CARRYING MERCHANDISE FROM RETAIL ESTABLISHMENTS (E.G., GARBAGE BAGS, LAWN BAGS, TRASH-CAN LINERS).

IMPORTS OF THE SUBJECT MERCHANDISE ARE CLASSIFIED UNDER STATISTICAL CATEGORY 3923.21.0090 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). THIS SUBHEADING ALSO COVERS PRODUCTS THAT ARE OUTSIDE THE SCOPE OF THIS INVESTIGATION. FURTHERMORE, ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR IMPORTS OF PRCBS FROM THE PRC, MANUFACTURED AND EXPORTED BY HANG LUNG PLASTIC MANUFACTORY LTD. (HANG LUNG), NO SUSPENSION OF LIQUIDATION IS REQUIRED AT THIS TIME.

4. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF UNITED STATES CUSTOMS AND BORDER PROTECTION (CBP), CBP OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CBP OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

5. FOR ALL IMPORTS OF PRCBS FROM THE PRC NOT MANUFACTURED AND EXPORTED BY HANG LUNG, U.S. CUSTOMS AND BORDER PROTECTION (CBP) SHALL SUSPEND LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

JANUARY 26, 2004. EFFECTIVE JANUARY 26 , 2004, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

EXPORTER OR PRODUCER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
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DONGGUAN HUANG JIANG UNITED WAH PLASTIC BAG FACTORY, DONGWAN NOZAWA PLASTICS, OR UNITED POWER PACKAGING, LTD.	A-570-886-002	16.55
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NANTONG HUASHENG PLASTIC PRODUCTS CO., LTD.	A-570-886-003	12.71
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RALLY PLASTICS CO., LTD. SHANGHAI GLOPACK PACKING CO. LTD. AND SEA LAKE POLYETHYLENE ENTERPRISE LTD., OR SEA LAKE	A-570-886-004	9.01
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PLASTICS IMPORT MATERIAL
 PROCESSING FACTORY, OR SEA LAKE
 PLASTICS CO. LTD. A-570-886-005 4.45
 XIAMEN MING PAK PLASTICS CO., LTD. A-570-886-006 32.19
 ZHONGSHAN DONGFENG HUNG WAI
 PLASTIC BAG MANUFACTORY A-570-886-007 57.09
 BEIJING LIANBIN PLASTICS
 AND PRINTING CO. LTD. A-570-886-008 12.71
 DONGGUAN ZHONGQIAO COMBINE
 PLASTIC BAG FACTORY A-570-886-009 12.71
 GOOD-IN HOLDINGS LTD. A-570-886-010 12.71
 GUANGDONG ESQUEL PACKAGING CO., LTD. A-570-886-011 12.71
 RAIN CONTINENT SHANGHAI CO., LTD. A-570-886-012 12.71
 SHANGHAI DAZHI ENTERPRISE
 DEVELOPMENT CO., LTD. A-570-886-013 12.71
 SHANGHAI FANGSHENG COLOURED
 PACKAGING CO., LTD. A-570-886-014 12.71
 SHANGHAI JINGTAI PACKAGING
 MATERIAL CO., LTD. A-570-886-015 12.71
 SHANGHAI LIGHT INDUSTRIAL
 PRODUCTS IMPORT AND EXPORT CORP. A-570-886-016 12.71
 SHANGHAI MINMENTALS DEVELOPMENT
 LTD. A-570-886-017 12.71
 SHANGHAI NEW AI LIAN
 IMPORT AND EXPORT CO., LTD. A-570-886-018 12.71
 SHANGHAI OVERSEAS
 INTERNATIONAL TRADING CO., LTD. A-570-886-019 12.71
 SHANGHAI YAFU PLASTICS
 INDUSTRIES CO., LTD. A-570-886-020 12.71
 WEIHAI WEIQUAN PLASTIC
 AND RUBBER PRODUCTS CO., LTD. A-570-886-021 12.71
 XIAMEN XINGYATAI INDUSTRY CO., LTD. A-570-886-022 12.71
 XINHUI HENGLONG A-570-886-023 12.71
 NAN SING A-570-886-024 12.71
 NINGBO FANRONG A-570-886-025 12.71
 NINGBO HUANSEN A-570-886-026 12.71
 ALL OTHERS A-570-886-000 80.52

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G1O3:KLC).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party